

PROB 12A
(7/93)

UNITED STATES DISTRICT COURT
for
Western District of Texas

Report on Offender Under Supervision

Name of Offender: Sean Andrew McQuigg

Case Number: A-09-CR-261(01)-JRN

Name of Sentencing Judicial Officer: Honorable James R. Nowlin, United States District Judge

Date of Original Sentence: December 3, 2009

Original Offense: Possession of Child Pornography, in violation 18 U.S.C. § 2252A

Original Sentence: 120 months imprisonment followed by fifteen (15) years of supervised release, Special Conditions: sex offender registration, sex offender or mental health treatment, lifestyle restrictions by therapist, shall not associate with children except in the presence of and adult designated in writing by the probation officer, shall reside in a residence approved in advance, no residence within 1,000 feet of a school or youth center, no sexually oriented materials, no photographic or video equipment, computer monitoring, search, alcohol treatment to include drug and alcohol testing, and \$100 special assessment (satisfied)

Type of Supervision: Supervised Release

Date Supervision Commenced: August 17, 2018

PREVIOUS COURT ACTION

On August 14, 2018, a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (12B) was filed ordering McQuigg to reside in a residential reentry center for a term of 180 days. The Court approved the modification as submitted.

On October 15, 2019, a Report on Offender Under Supervision (12A) was filed as the Court was advised of McQuigg's failure to participate in sex offender treatment program as approved and directed by the probation officer. No action was recommended, and the Court concurred.

On April 6, 2020, a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (12B) was filed ordering McQuigg abide by additional special conditions, including a search condition, and computer monitoring program including software, and physical computer searches.

On February 22, 2022, a Request for Modifying the Conditions or Term of Supervision with Consent of the Offender (12B) was filed ordering McQuigg participate in substance abuse treatment due to a positive urine specimen for methamphetamine on January 21, 2022.

Sean Andrew McQuigg
Report on Offender Under Supervision
Page 2

On April 14, 2022, a Report on Offender Under Supervision (12A) was filed as the Court was advised of a second positive urine specimen for methamphetamine submitted by McQuigg on March 10, 2022. No further action was recommended as McQuigg is actively participating in substance abuse treatment, and the Court concurred.

NONCOMPLIANCE SUMMARY

Violation of Special Condition: “The defendant shall participate in a program approved by the United States Probation Office for treatment of narcotic addiction or drug or alcohol dependency which may include testing and examination to determine if the defendant has reverted to the use of drugs or alcohol. The defendant may be required to contribute to the costs of services rendered (copayment) in an amount to be determined by the probation officer, based on the defendant's ability to pay.”

Nature of Noncompliance: On April 6, 2022, and June 9 & 28, 2022, McQuigg failed to report for urine screens scheduled via the Comply phone system.

Violation of Mandatory Condition #2: “The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.”

Nature of Noncompliance: On July 6, 2022, urine test results were received from a drug test McQuigg took on June 29, 2022, that tested positive for methamphetamine and cocaine. McQuigg admitted verbally and in writing to using the controlled substances on or about June 24, 2022.

U.S. Probation Officer Action:

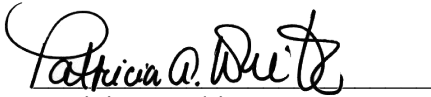
Contact was made with McQuigg, and he admitted to using methamphetamine again on or about June 24, 2022. When advised that he had also tested positive for cocaine, he stated it could have been mixed in the same pouch. McQuigg reports he had maintained sobriety for nearly three months but had found some “old drugs” when cleaning his closet, and relapsed. The offender also attributed continued drug use to struggles in managing his mental health due to ongoing health problems.

To address the offender’s relapse, McQuigg’s treatment services have been amended to include participation in group substance abuse sessions. In addition, the offender will be referred to the federal treatment provider for a psychiatric evaluation to determine if psychiatric medications would be beneficial. McQuigg has been instructed that additional drug usage will result in an immediate request for court action, and he may be subject to mandatory revocation per statute.

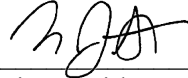
No action is requested from the Court at this time. The probation officer will monitor Mr. McQuigg’s sobriety via random drug testing, as well as monitor his progress and participation in substance abuse and mental health treatment services.

Sean Andrew McQuigg
Report on Offender Under Supervision
Page 3

Respectfully submitted,



Patricia A. Whitson
Supervising U.S. Probation Officer



Brian Smith
U.S. Probation Officer

Date: 07/19/2022

THE COURT ORDERS:

- ☒ No Action
☐ The Extension of Supervision as Noted Above.
☐ The Modification of Conditions as Noted Above.
☐ Other



Honorable Susan Hightower
United States Magistrate Judge

Date: July 19, 2022